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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/819,970	03/27/2001	Raj Bridgelall	1128	4228

7590

09/26/2002

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EXAMINER

NGUYEN, KIMBERLY D

ART UNIT

PAPER NUMBER

2876

DATE MAILED: 09/26/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/819,970

Applicant(s)

BRIDGELALL ET AL.

Examiner

Kimberly D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_ 6) ☐ Other: \_\_\_\_

## DETAILED ACTION

### *Claim Objections*

1. Claim1 is objected to because of the following informalities:

- Claim 1, line 9: The phrase “; and” makes the claim incomplete and should be replaced with a “.”.

- Claim 6, line 1: An “and” should be inserted between the “RF transceiver” and “auto ID reader”.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

- Claim 6, line 1: The “RF transceiver” lacks of antecedent basis.
- Claim 7, line 1: The “RF receiver” lacks of antecedent basis.
- Claim 2, line 2: The “RF demodulated data” lacks of antecedent basis.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

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(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1, 8, 13 and 15-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Herrod et al. (US 6,405,049).

Herrod teaches a data collection module which comprises a support 10 having a predetermined form factor; an auto ID reader 18 supported by the support, and operative for sensing encoded data on a record carrier positioned near the reader and for reading the encoded data; and a radio frequency (RF) transmitter 22 supported by the support, and operative for transmitting the data processed by the auto ID reader derived from the record carrier (see fig. 2; col. 5, line 33 through col. 6, line 55).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2-3, 6, 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrod in view of "admitted prior art". The teachings of Herrod have been discussed above.

Although, Herrod suggests that a SE 1200 scanner would be used within the system (see fig. 28; col. 22, lines 4-9); Herrod is silent with respect to the form factor space approximation.

The applicant discloses a well known SE 1200 scan engine module and is produced by Symbol Technologies, Inc. which has a parallelepiped shape measuring 1-1/2 inch x 1 inch x 3/4 inch.

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It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the notoriously old and well know form factor of the scan module and the auto ID reader along with RF transmitter are mounted on the circuit board to the teaching of Herrod in order to provide a versatile and compact card reader system, which provides a greater convenience to the users for carrying the reader system.

6. Claims 4, 11 and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrod in view of Claus et al. (US 5,310,999). The teachings of Herrod have been discussed above.

Re claims 4 and 11: Herrod is silent with respect to the two antennas.

Claus teaches a RF transmitter/transponder 600 of a card reader system which comprises two antennas 680 and 690 and a circuit for coupling the transmitter/transponder (see figs. 3 and 5-7; col. 5, line 50 through col. 6, line 22).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the notoriously old and well known two antenna card reader system as taught by Claus to the teachings of Herrod in order to improve data/information stimulation between the card reader and the information server or other computer networking devices without the requirement of physical wire contacts between the card reader and the server (i.e. wireless communication). Such modification would provide Herrod with a low cost wireless connectivity solution.

7. Claims 5, 7, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrod in view of Ogasawara (US 6,123,259). The teachings of Herrod have been discussed above.

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Re claims 5, 7 and 14: Herrod is silent with respect to the ID reader which is interchangeable element that includes one of a bar code reader, a smart card reader, a digital sensor, and a fingerprint detector.

Ogasawara teaches a computer terminal 5, which includes a bar code symbol reader 15 and a smart card reader 60 (see fig. 1; col. 4, line 36 through col. 6, line 36).

Re claim 12: Ogasawara teaches a reader system, which comprises at least one auto ID includes a photo/optical/light detector (see col. 9, lines 45-65).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the notoriously old and well known bar code reader and smart card reader in one system as taught by Ogasawara to the teachings of Herrod in order to provide a versatile and compact card reader system which is able to process a bar code information and a smart card information at once. Such modification would provide Herrod with a greater time-saving system.

8. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Herrod in view of Clapper (US 6,023,241). The teachings of Herrod have been discussed above.

Herrod is silent with respect to the Bluetooth protocol.

Clapper teaches a digital multimedia navigation recorder 10 which uses the Bluetooth protocol for the wireless communications to an external computer network (see figs. 1-2; col. 2, line 2 through col. 3, line 48).

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to incorporate the notoriously old and well known RF transceiver using the Bluetooth protocol as taught by Clapper to the teachings of Herrod in order to provide a card

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reader system with a freedom from wired connections to further prevent costly physical wired setup. Furthermore, such modification would provide a greater wire-free convenience to the users.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tseng (US 5,563,491) teaches a combined parking meter and electric-vehicle battery charger with remote status receiver. Murrah et al. (US 5,804,807) teaches a scan-ahead system for processing merchandise at a checkout register. Hoemann (US 4,990,756) teaches an apparatus and method for emulating bar codes. Ober et al. (US 6,373,579) teaches a portable measurement apparatus for determining the dimensions of an object and associated method. Correa et al. (US 6,340,114) teaches an imaging engine and method for code readers. Bridgelall (US 6,264,106) teaches a combination bar code scanner/RFID circuit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Nguyen whose telephone number is 703-305-1798. The examiner can normally be reached on Monday-Friday 7:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael G. Lee can be reached on 703-305-3503. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-1341 for regular communications and 703-305-1341 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-8792.

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KDN  
September 12, 2002

A handwritten signature in cursive script, reading "Karl D. Frech". The signature is written in black ink on a white background.

KARL D. FRECH  
PRIMARY EXAMINER